IN THE HIGH COURT OF ANDHRA PRADESH
AT HYDERABAD

-

Taken Up W.P.No.20181 of 2005

Dt. 08-10-2007

Between:
P.S.Veni

..Petitioner

and

1. The Commissioner of Police, Visakhapatnam,
   Visakhapatnam District and others.

..Respondents

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

THE HONOURABLE SRI JUSTICE
A.GOPAL REDDY
and
THE HONOURABLE SRI JUSTICE
P.SWAROOP REDDY

Taken Up W.P.No.20181 of 2005

Oral Order: (Per Hon'ble Sri Justice ***A.Gopal Reddy***)

Petitioner, who is the mother of the alleged detenue—P.Vijayalakshmi, addressed a letter dated 01-09-2005 to the Hon'ble the Chief Justice alleging that one Mr.P.V.Radha Krishna, aged 42 years, who is an antisocial activist, trapped and took her daughter—Vijayalakshmi to some unknown place and later married her. She came to know that the said Radha Krishna had two wives, namely, Nagamani and Varalakshmi and five children (3 +2) with them. At that stage, the said Radha Krishna filed a petition under Section 9 of the Hindu Marriage Act, 1955 before the Family Court, Visakhapatnam only to harass her daughter.

On taking the writ petition necessary notices were issued to the respondents.

When the writ petition is pending petitioner's daughter, namely, P.Vijayalakshmi filed a notarized affidavit dated 18-12-2005 stating that the writ petition filed by her mother has become to be dismissed. In the said affidavit she categorically asserted that she is a major and she married P.Radhakrishna willingly; at the time of marriage itself she is aware of his earlier marriage and she knows his entire family back ground; no fact was ever suppressed by him and

therefore, the instant take up writ petition filed by her mother—P.S.Veni is nothing but abuse of process of law. She also asserted that she is leading peaceful married life with Radhakrishna; due to interference of her parents, by lodging various frivolous cases before various police stations in the jurisdiction of the Visakhapatnam Police Commissioner, there is no mental peace to her and prayed to issue a direction to her parents not to harass her, her husband and other family members by false land frivolous complaints and also direct the Police, Visakhapatnam not to harass her, her husband and other family members under the guise of investigation.

On the previous date of hearing i.e. on 03-11-2005 petitioner as well as her daughter, Vijayalakshmi—alleged detenue, along with her husband—P.V.Radhakrishna and his elder wife, namely, Nagamani present in the Court. When examined by the Court, petitioner's daughter—Vijayalakshmi stated that she married P.V.Radhakrishna in Simhachalam. When her parents reported for issuing a direction to the alleged detenue, she bluntly refused to go along with them and further stated she would stay at Visakhapatnam with Radhakrishna on her own and would visit her parents very often and parents should not interfere with her personal affairs.

No complaints have been received from either side after recording their statement on 03-11-2005. In view of the fact that the alleged detenue—Vijayalakshmi is a major and she volunteered to live along with P.V.Radhakrishna, she cannot be forced to live with her parents against her will.

In view of the same, no further cause survives in the writ petition and it is accordingly dismissed.

A.GOPAL REDDY, J.

P.SWAROOP REDDY,J.

08-10-2007

Murthy